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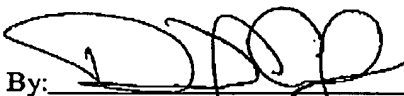
Applicant respectfully requests reconsideration of this application. Applicant respectfully submits that there is no *prima facie* case of obviousness under §103 and that claims 1-14 are allowable. The Examiner proposes to combine *Balachandran* with *Blom*. That combination cannot be made because the legally required motivation for making a combination under 35 U.S.C. §103 is absent.

Whenever a proposed modification to a primary reference does not provide any benefit for the arrangement in that reference, there is no motivation for making the proposed modification and no *prima facie* case of obviousness. In this instance, the *Balachandran* reference is concerned with determining when wireless system resources are under utilized such as when the available carriers within a cell are not occupied. It then sends a message to a mobile station indicating that a discounted rate will be available if a call is placed, for example. The arrangement in the *Blom* reference, which is for providing advertisements, does not have any usefulness within the *Balachandran* arrangement. It does not in any way enhance *Balachandran's* capability of promoting further use of the wireless system resources, for example. Therefore, there is no benefit to making the combination and there is no *prima facie* case of obviousness.

Applicant believes that this case is in condition for allowance.

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

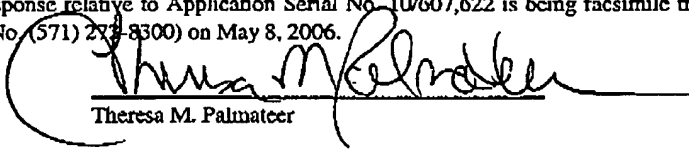
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Dated: May 8, 2006

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CERTIFICATE OF FACSIMILE

I hereby certify that this Response relative to Application Serial No. 10/607,622 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on May 8, 2006.


Theresa M. Palmateer

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